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19 *Attorneys for Defendant*
20 Union Pacific Railroad Company

21 UNITED STATES DISTRICT COURT
22 CENTRAL DISTRICT OF CALIFORNIA

23 In re SFPP Rights-of-Way Claims

24 Case No. 8:15-cv-00718-JVS-DFMx

25 **UNION PACIFIC RAILROAD**
26 **COMPANY'S NOTICE OF MOTION**
27 **TO STAY PROCEEDINGS**
28 **PENDING APPEAL**

29 Date: December 5, 2016
30 Time: 1:30 p.m.
31 Dept.: Courtroom 10C – Santa Ana
32 Judge: Hon. James V. Selna

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on December 5, 2016, or as soon thereafter as
 3 this matter may be heard, before the Honorable James V. Selna in Courtroom 10C, in
 4 the United States District Court for the Central District of California—Southern
 5 Divisions, located at 411 West Fourth Street, Santa Ana, California 92701, Defendant
 6 Union Pacific Railroad Company (“Union Pacific”) will and hereby does move for an
 7 Order granting a stay of proceedings pending a determination of Union Pacific’s
 8 Section 1292(b) appeal by the United States Court of Appeals for the Ninth Circuit.

9 This Motion is based on this Notice; the Memorandum of Points and
 10 Authorities in Support of the Motion; the complete files and records in this action;
 11 matters that may be judicially noticed; and any oral or documentary evidence that may
 12 be presented at the hearing on this matter.

13 Pursuant to Local Rule 7-3, this Motion is made following the conference of
 14 counsel on October 21, 2016. Union Pacific’s counsel has met and conferred with
 15 Plaintiffs’ counsel and Kinder Morgan’s counsel regarding the Motion to Stay.

16
 17 Dated: October 28, 2016

SHOOK, HARDY & BACON L.L.P.

18 /s/ Tammy B. Webb

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